

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

JAVIER SEGOVIA MENDIOLA

Plaintiff,

vs.

**KENNETH P. HARTLEY and KEVIN
P. HARTLEY, HARTLEY PRODUCE,
LLC and B & H FARMS, LLC.**

Defendants.

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Civil Action No. 7:22-cv-00401

DEMAND FOR JURY TRIAL

**PLAINTIFF'S MOTION TO EXTEND DEFENDANTS'
DEADLINE TO ANSWER**

TO THE HONORABLE JUDGE HINOJOSA:

Plaintiff Javier Segovia Mendiola ("Plaintiff") submits this Motion to Extend Defendants' Deadline to Answer and in support thereof would respectfully show the Court the following:

1. This case was filed on November 21, 2022, and Defendants were served on December 1, 2022. Dkts. 1 and 7. The original deadline for Defendants to file an answer is therefore December 22, 2022. Fed. R. Civ. P. 12(a). The Court set a Scheduling Conference for February 9, 2022 at 2:30 pm. Dkt. No. 3.

2. Since the lawsuit was served on Defendants, the parties have engaged in discussions regarding resolution of the case. The parties are optimistic that they can reach a resolution in this case. It would help tremendously toward that end if Defendants do not have to engage counsel to make an appearance in this case.

3. Defendants have requested, and Plaintiff agrees, to an extension of Defendants' current deadline to file an answer, December 22, 2022, for an additional 21 days to January 12, 2023. This extension will allow the parties additional time to attempt resolution.

4. The parties request this additional time due to Defendants' counsel's holiday schedule

and because more time is needed for Defendant's counsel to adequately prepare an answer and carry out settlement discussions. The parties have been working amicably and diligently to reach a resolution and will continue to do so.

5. For the reasons stated above, Plaintiff respectfully asks the Court to extend Defendants' deadline to file an answer to January 12, 2023.

6. This motion is not sought for purposes of delay but in the interest of judicial efficiency and justice for all parties involved.

Respectfully submitted,

TEXAS RIOGRANDE LEGAL AID

/s/ A. Vail Kohnert-Yount

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of December, 2022, the foregoing document was filed via electronic service in accordance with the Federal Rules of Civil Procedure.

/s/ A. Vail Kohnert-Yount
A. Vail Kohnert-Yount

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ORDER

On this the _____ day of _____ 2022, came to be heard Plaintiff's Motion to Extend Defendants' Deadline to Answer. After considering said motion, the Court finds the motion should be, and hereby is, GRANTED.

Defendant's deadline to file an answer in this case is January 12, 2023.

Plaintiff shall serve a copy of this Order on all Defendants.

SIGNED on ____ day of _____, 2022.

Judge Ricardo H. Hinojosa